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21 Attorneys for Defendant and Third-Party Plaintiff
22 WORLD SAVINGS BANK, FSB
23 now WACHOVIA MORTGAGE, a division of
24 WELLS FARGO BANK, N.A. (formerly a.k.a.
25 WACHOVIA MORTGAGE, FSB)

26 UNITED STATES DISTRICT COURT
27

28 NORTHERN DISTRICT OF CALIFORNIA

29 SAN JOSE DIVISION

30 BERNARDO REYES,

Case No. C08-04606 JW

31 Plaintiff,

32 v.

33 PREMIER HOME FUNDING, INC. et al.,

[PROPOSED]

**ORDER ON STIPULATION FOR
WACHOVIA MORTGAGE TO FILE THIRD-
PARTY COMPLAINT IN IMPLEADER**

34 Defendants.

35
36 AND RELATED THIRD-PARTY
37 COMPLAINTS

1 ALL PARTIES hereby stipulate to the proposed order permitting Defendant and Third-
2 Party Plaintiff Wachovia Mortgage, a division of Wells Fargo Bank, N.A., ("Wachovia") to file
3 and serve the proposed Third-Party Complaint, and on the following terms.

4 1. The new parties and claims added in the Wachovia Third-Party Complaint shall not
5 be a factor in the trial setting of Plaintiff's case or the liability phase of Wachovia's pending third-
6 party complaint against The Escrow Forum.

7 2. New information came to light as a result of several recent depositions which
8 indicate that additional impleader is appropriate. These depositions were those of (1) Mr. Satish
9 Dass, principal of Premier Home Funding, which occurred on April 27; (2) the deposition of
10 Plaintiff Bernardo Reyes, which occurred on May 27; and, (3) the deposition of Plaintiff's spouse,
11 which commenced on June 3.

12 3. The persons that Wachovia seeks to add by way of its Third-Party Complaint for
13 indemnity and related remedies are all intimately involved with the loan origination put at issue by
14 Plaintiff. The new Third-Party Complaint by Wachovia would add the loan broker's principal and
15 supervising real estate broker, Satish Dass, and the entity which brokered this loan, Premier Home
16 Funding, Inc. and its related company Premier Group Lending, the sales manager of Premier, Mr.
17 Chirag Patel, a person believed to have been involved as a sales agent of Premier, Mr. David
18 Gradstein, as well as the persons who were involved in a direct capacity with purportedly
19 delivering or not delivering loan documents and obtaining signatures on loan documents from
20 Plaintiff and his spouse, Olga Salazar, namely: Rafael Montejano, Joel Candelario and Guadalupe
21 Montoya Candelario. Already, The Escrow Forum has named and served the Candelarios and Mr.
22 Montejano in its third-party claim in this action. The new parties brought in would be Satish Dass,
23 Chirag Patel, and David Gradstein, persons directly involved in the brokered loan on behalf of
24 Premier, it is alleged.

25 4. A true and correct copy of Wachovia's proposed Third-Party Complaint is attached
26 hereto as Exhibit "A."

27 [signatures of counsel on next page]

1 IT IS SO STIPULATED.

2 Dated: June 10, 2010

FAIR HOUSING LAW PROJECT

3
4 /s/ Annette D. Kirkham
5 Annette D. Kirkham
6 Attorneys for Plaintiff
7 BERNARDO REYES

8
9 Dated: June 10, 2010

ANGLIN, FLEWELLING, RASMUSSEN
CAMPBELL & TRYTTEN LLP

10
11 By: /s/ Fred Hickman

12 Fred Hickman
13 fwickman@afrct.com
14 Attorneys for Defendant
15 and Third-Party Plaintiff WORLD SAVINGS
16 BANK, FSB now WACHOVIA MORTGAGE, a
17 division of WELLS FARGO BANK, N.A.
18 (formerly a.k.a. WACHOVIA MORTGAGE, FSB)

19
20 Dated: June 11, 2010

L. Scott Karlin, Esq.

21 By: /s/ L. Scott Karlin

22 L. Scott Karlin
Email:

23 Attorneys for Cross-Defendant, The Escrow Forum

24
25
26 ATTESTATION PURSUANT TO GENERAL ORDER 45

27 I, Frederick J. Hickman, attest that concurrence in the filing of this document has been
28 obtained from each of the signatories. I declare under penalty of perjury under the laws of the
United States of America that the foregoing is true and correct. Executed this day, June 10, 2010.

/s/ Fred Hickman

[PROPOSED] ORDER

IT IS ORDERED:

For good cause appearing and based on the stipulation of counsel, Defendant and Third-Party Plaintiff Wachovia Mortgage, a division of Wells Fargo Bank, N.A. (formerly named World Savings Bank, FSB and Wachovia Mortgage, FSB) may file the Third-Party Complaint, dated June 10, 2010, and the clerk of the court shall issue summonses as appropriate. The Defendant and Third Party Plaintiff Wachovia Mortgage shall file their Third-Party Complaint as a separate docket entry by **June 25, 2010**.

Dated: June 21, 2010

The Honorable James Ware
United States District Judge